

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Case No. 1:11-cv-271

Plaintiff,

vs.

Dlott, C.J.
Bowman, M.J.

A SAVAGE WESTPOINT RIFLE,
.22 CALIBER, SERIAL NO D262898, et al.,

Defendants.

ORDER

This forfeiture action is now before the Court on Claimant Chase McCoy's motions to appoint counsel, motion to proceed *in forma pauperis* and motion to stay proceedings. (Docs. 27, 28, 29, 33).

Claimant Chase McCoy seeks appointment of counsel pursuant to 18 U.S.C. § 983(b)(2)(A), which provides in relevant part:

If a person with standing to contest the forfeiture of property in a judicial civil forfeiture proceeding under a civil forfeiture statute is financially unable to obtain representation by counsel, and the property subject to forfeiture is real property that is being used by the person as a primary residence, the court, at the request of the person, shall insure that the person is represented by an attorney for the Legal Services Corporation¹ with respect to the claim.

The United States does not object to either of Claimant's motions for appointment of counsel.

¹ The Legal Services Corporation (LSC) is a private, non-profit corporation established by the United States Congress. It seeks to ensure equal access to justice under the law for all Americans by providing civil legal assistance to those who otherwise would be unable to afford it. LSC's local funded program is the Cincinnati Legal Aid Society.

Accordingly, for good cause shown and in the absence of any objection from Plaintiff, Claimant Chase McCoy's motions to appoint counsel (Docs. 27, 33) are herein **GRANTED**. Pursuant to 18 U.S.C. § 983(b)(2)(A), the Legal Aid Society of Cincinnati is herein **APPOINTED** to represent Claimant Chase McCoy in this action and shall enter an appearance on behalf of Chase McCoy within **thirty (30) days** of the filing of this Order.

Additionally, in light of this Court's appointment of counsel, Claimant McCoy's motion to proceed *in forma pauperis* (Doc. 28) and motion to stay proceedings (Doc. 29) are **DENIED as MOOT**.

IT IS SO ORDERED.

s/Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge